#### **EXPRESS MAIL CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that the paper(s) identified above, and any document(s) referred to as attached hereto, is being deposited with the United States Postal Service on the date indicated in an envelope as "Express Mail Post Office to Addressee" and is addressed: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

Christine Kotran

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Michael Horstmann

Serial No.

Filing Date

Herewith

Examiner

Group Art Unit:

Title

DEVICE FOR TRANSDERMAL ADMINISTRATION OF

**ACTIVE SUBSTANCES** 

Attorney File :

RO4243US (#90568)

# INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97

Mail Stop PCT
Commissioner for Patents
P O Box 1450
Alexandria, Virginia, 22313-1450

Dear Sir,

Under the provision of 37 C.F.R. 1.56, 1.97 and 1.98, Applicant would like to call the Examiner's attention to the references listed on the attached Form PTO-1449. Copies of any U.S. patent or published application references are not enclosed. Copies of the indicated non-U.S. patent references and non-patent references cited in the International Search Report mailed February 4, 2005 in the prior international application PCT/EP04/012458 are not enclosed. Copies of any other references are enclosed herewith.

In accordance with 37 C.R.F. 1.97(b)(1), and as this Information Disclosure Statement is being filed with the application, the Statement is submitted before the issuance of a first Official Action on this case.

In accordance with 37 C.F.R. 1.97(g) and 37 C.F.R. 1.97(h), filing of this

## IAPOREC'OPETITO 16 MAY 2006

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Information disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 34 C.F.R. 1.56(b).

The Examiner is requested to make the attached references of record and to consider these references along with such other references deemed pertinent as a result of the Examiner's own independent search and examination.

Respectfully submitted,

Date: Way 16, 2006

D. Peter Hochberg Co., L.P.A. 1940 E.6<sup>th</sup> Street – 6<sup>th</sup> Floor Cleveland, OH 44114 (216) 771-3800 DPH/SM D. Peter Hochberg Reg. No. 24,603

# IAP9 Rec'd PCT/PTO 16 MAY 2006

### **FORM PTO-1449**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

: Michael Horstmann

Serial No.

Filing Date :

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Title

DEVICE FOR TRANSDERMAL ADMINISTRATION OF

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RO4243US (#90568)

Mail Stop PCT Commissioner for Patents P O Box 1450

Alexandria, Virginia, 22313-1450

WO 97/48440

WO 2004/033021

### **U S PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	
	6,083,196	7/4/2000	Trautman, et a	al.
	6,334,856	1/1/2002	Allen, et al.	
		U.S. Published Applic	cations	
Examiner	Document			
Initial	Number	Date	Name	
Examiner	Document	Foreign Patent Do	ocuments	Translation
Initial	Number	Data	Country	
minai	Number	Date	Country	(Yes/No)
<del></del>	GB 1315796	5/2/73	GB	No *
	NL 6614673	4/19/68	NL	No *

12/24/97

4/22/04

WO

WO

No \*

No \*

### Other Prior Art (Inc. Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial	Document			
Examiner	Date Considered:			
Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant			

<sup>\*</sup> Denotes reference cited in International Search Report